## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MIDSUMMER INVESTMENT, LTD.,

09 Civ. 9259

Plaintiff,

-against-

NOTICE OF APPEARANCE

MERRIMAN CURHAN FORD GROUP, INC.,

Defendant.

To the Clerk of This Court and All Parties of Record:

PLEASE TAKE NOTICE that the undersigned counsel hereby appears in this action, for Plaintiff Midsummer Investment, Ltd.

I certify that I am admitted to practice in this Court.

Dated: New York, New York August 4, 2010

OLSHAN GRUNDMAN FROME ROSENZWEIG & WOLOSKY LLP

By: /s/ Jennifer L. Heil
Jennifer L. Heil (JH 4290)
Park Avenue Tower
65 East 55<sup>th</sup> Street
New York, New York 10022
(212) 451-2300
jheil@olshanlaw.com

Attorneys for Plaintiff Midsummer Investment, Ltd.